

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P35209-P0		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/011427	International filing date (day/month/year) 03.08.2004	Priority date (day/month/year) 06.08.2003	
International Patent Classification (IPC) or national classification and IPC G06F12/06, 3/06, 3/08, 12/00, G06K17/00, 19/07			
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>8</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>9</u> sheets, as follows:</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:

pages 1-48 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

- ☒ the claims:
- nos. 3, 5-15, 17-21, 23-27 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1, 2, 4, 16, 22 received by this Authority on 03.06.2005

nos.* _____ received by this Authority on _____

- ☒ the drawings:
- sheets fig. 1-47 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1. Statement	
Novelty (N)	Claims <u>1-27</u> YES Claims _____ NO
Inventive step (IS)	Claims <u>7, 8, 10-13, 15-27</u> YES Claims <u>1-6, 9, 14</u> NO
Industrial applicability (IA)	Claims <u>1-27</u> YES Claims _____ NO
2. Citations and explanations (Rule 70.7)	
	Document 1: JP 6-350907 A (Fuji Photo Film Co., Ltd.), 22 December 1994
	Document 2: JP 2001-36904 A (Fuji Photo Film Co., Ltd.), 09 February 2001
	Document 3: JP 7-28968 A (Intel Corp.), 31 January 1995
	Document 4: JP 2001-184257 A (Sony Computer Entertainment Inc.), 06 July 2001
	Document 5: JP 2000-122923 A (Sony Corp.), 28 April 2000
	Claims 1 to 6, 9 and 14
	The inventions set forth in claims 1 to 6, 9 and 14 do not involve an inventive step in the light of documents 1 to 5.
	Document 1 discloses a feature wherein information pertaining to the storing speed, the type of storage element, the storage capacity and the like is maintained in the card attribute information area of the flash memory card so that it is possible to output said information to an external device.
	Document 2 discloses a feature wherein the card information structure (CIS) that is stored in a memory card is accessed in order to determine the recording speed with which it is possible to record to said memory

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card (refer to paragraph [0042]), and further discloses a feature whereby a host device queries an external device as to whether a prescribed transfer speed is supported and then establishes the transfer speed for both devices when the external device responds that a given rotational speed is "supported" (fig. 3).

Document 3 discloses a feature wherein information pertaining to the access speed, the access period and the like for each power source voltage is maintained in the flash memory card so that it is possible to output said information to an external device. Therein, it is possible to know the configuration range of the power source voltages for the flash memory card (refer to paragraph [0050]), and thus the configuration in question can be considered to maintain power source voltage value information as well.

Document 4 discloses a feature whereby information pertaining to the page size is maintained in the flash memory card so that it is possible to output said information to an external device.

Document 5 discloses a feature whereby information that is necessary for deriving the interleave factor when writing data in parallel (e.g. information pertaining to the data input period and the program period) is maintained within the flash memory card so that it is possible to output said information to an external device (refer to paragraph [0244]).

In the light of the items that are disclosed in documents 1 to 5, it would have been easy for a person skilled in the art to conceive of maintaining the various types of information that are set forth in claims 1 to 6, 9 and 14 within a memory card, and to conceive of a

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format wherein various queries are transmitted from the host device to the memory card.

Furthermore, in the invention that is disclosed in document 3 the power source voltage can be said to be a condition for accessing the flash memory card, and thus is considered to correspond to the "access conditions" in the invention that is set forth in claim 1. Likewise, the access speed, the access period and the like are considered to correspond to the "access performance" in the invention that is set forth in claim 1. As a result, document 3 can be considered to disclose the feature of storing information pertaining to the access conditions and the access performance under said access conditions.

Claims 7 and 8

The invention set forth in claims 7 and 8 is novel and involves an inventive step.

The features that are set forth in claims 7 and 8 are not disclosed in any of the documents, and would not have been obvious to a person skilled in the art.

Claims 10 to 13

The invention set forth in claims 10 to 13 is novel and involves an inventive step.

The feature of storing information pertaining to the access speed at a plurality of power consumption levels in addition to the information pertaining to the access conditions is not disclosed in any of the documents, and would not have been obvious to a person skilled in the art.

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Claim 15

The invention set forth in claim 15 is novel and involves an inventive step.

The feature wherein the processing unit size, the access method and the processing content are included among the access conditions is not disclosed in any of the documents, and would not have been obvious to a person skilled in the art.

Claims 16 to 27

The inventions set forth in claims 16 to 27 are novel and involve an inventive step.

The feature of determining the access conditions from the information pertaining to the access conditions and the access performance under said access conditions which is acquired from the semiconductor memory card, the information pertaining to the access conditions that can be utilized by the access device, and the information pertaining to the access speed that is required of the semiconductor memory card, and then controlling so that the files are accessed in accordance with said access conditions is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1.

Claim 1 sets forth a feature wherein both information pertaining to the access conditions and information pertaining to the access performance are stored in the card information storage unit. On the other hand, claim 2 includes the disclosure "at least one set of information...is stored," which indicates that it is acceptable for only one of these two sets of information to be stored. As a result, the disclosures in question contradict one another.

2.

In the section of the disclosure that pertains to the card information acquisition section, claim 16 indicates that the "information that was acquired from the aforementioned card information acquisition section" of the access condition determination unit includes not only information pertaining to the access conditions but also information pertaining to the access performance that is exhibited by the semiconductor memory card. Consequently, the inclusion of the disclosure "information pertaining to the access performance of the semiconductor memory card" in addition to the disclosure "information that was acquired from the aforementioned card information acquisition section" within the section of the disclosure that pertains to the card information acquisition section is redundant and only serves to obscure exactly what information is used in order to determine the access conditions.

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Box No. VIII Certain observations on the international application

(Furthermore, the access condition determination step that is set forth in claim 22 does not set forth the information pertaining to the access performance.)

3.

With regards to the disclosure "when the aforementioned access device accesses the aforementioned semiconductor memory card" in claim 22, the access device is not indicated prior thereto in any of the disclosures that precede the disclosure in question.